

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JACOB A. JOHNSTON,

Plaintiff,

v.

NELSON, *et al.*,

Defendants.

Case No. C24-5271-JNW-MLP

ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS
AND DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENTS

Plaintiff has filed an application to proceed *in forma pauperis* (“IFP”) in the above-entitled § 1983 action. After careful consideration of the application and supporting materials, the Court ORDERS as follows:

(1) Plaintiff’s application to proceed IFP (dkt. # 7) is GRANTED. As set forth below, an initial partial filing fee will be collected, and thereafter each month Plaintiff is required to pay twenty (20) percent of the preceding month’s income credited to his account until the full amount of the filing fee is satisfied.

(2) Pursuant to 28 U.S.C. § 1915 and Plaintiff’s approved application to proceed IFP, the institution having custody of the above-named Plaintiff is directed to calculate an initial partial filing fee equal to twenty (20) percent of the greater of either: (1) the average monthly

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1 deposits to Plaintiff's account; or (2) the average monthly balance in Plaintiff's account for the
2 six-month period immediately preceding the date of this Order. The initial partial filing fee
3 should be forwarded to the Clerk as soon as practicable.

4 Subsequently, if Plaintiff's account exceeds \$10.00, each month the financial officer of
5 the correctional facility is directed to collect and forward payments equal to twenty (20) percent
6 of Plaintiff's preceding month's income credited to Plaintiff's account. In the event that the
7 monthly payment would reduce Plaintiff's account below \$10.00, the financial officer should
8 collect and forward only that amount which would reduce Plaintiff's account to \$10.00. This
9 \$10.00 limit does not apply to the initial partial filing fee described above. Finally, the monthly
10 payments should be collected and forwarded to the Court until the entire filing fee (\$350.00) for
11 this matter has been paid.

12 (3) The Clerk is directed to send a copy of this order to Plaintiff, to the financial
13 officer of the Court, and to the financial officer of the correctional facility.

14 The Clerk is directed to send copies of this order to the parties and to the Honorable
15 Jamal N. Whitehead.

16 Dated this 10th day of May, 2024.

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19 MICHELLE L. PETERSON
20 United States Magistrate Judge
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